

## APPENDIX—15—Continued

[TAA petitions instituted between 4/8/13 and 4/12/13]

| TA-W        | Subject firm (petitioners)                       | Location           | Date of institution | Date of petition |
|-------------|--|--------------------|---------------------|------------------|
| 82645 ..... | Amcor Tobacco Packaging (Workers) .....          | Danville, VA ..... | 04/11/13            | 04/10/13         |
| 82646 ..... | Sensata Technologies Inc., (Company) .....       | St. Paul, MN ..... | 04/11/13            | 04/05/13         |
| 82647 ..... | Republic Special Metals, Inc. (Union) .....      | Canton, OH .....   | 04/11/13            | 04/10/13         |
| 82648 ..... | Salem Vent International Inc. (Company) .....    | Salem, VA .....    | 04/11/13            | 04/10/13         |
| 82649 ..... | Cigna Health I Life Insurance Company (Workers). | Tampa, FL .....    | 04/12/13            | 04/11/13         |

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-74,813; TA-W-74,813A]

**Eastman Kodak Company, Electrographic Print Solutions, Including On-Site Leased Workers From Adecco and Datrose, Spencerport, New York; Eastman Kodak Company, IPS, Including On-Site Leased Workers From Adecco, Dayton, Ohio; Notice of Initiation of Investigation To Terminate Certification of Eligibility**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated in response to a petition for Trade Adjustment Assistance (TAA) filed on behalf of Eastman Kodak Company, Electrographic Print Solutions, Spencerport, New York (EKC-NY). On February 18, 2011, the Department issued a certification of eligibility to apply for TAA applicable to workers and former workers of EKC-NY. On March 19, 2013, the Department issued an amended certification of eligibility to apply for TAA applicable to workers and former workers of Eastman Kodak Company, IPS, Dayton, Ohio (EKC-OH). A corrected amended certification of eligibility to apply for TAA applicable to workers and former workers of EKC-NY and EKC-OH was issued on April 4, 2013.

A review of the determination and the administrative record, however, revealed that the amended certification was erroneously issued. Specifically, the Department misunderstood the various and distinct articles produced at EKC-NY and EKC-OH.

The Department will conduct an investigation to determine whether or not workers of Eastman Kodak Company, IPS, including on-site leased workers, Dayton, Ohio (TA-W-

74,813A), have met the criteria set forth in Section 222(a) or (b) of the Trade Act of 1974, as amended, and will issue determinations accordingly.

Signed in Washington, DC, this 25th day of April 2013.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

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**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-82,113]

**SGL Carbon, LLC, Including Leased On-Site Worker of Reflex Staffing Services and Manpower, St. Marys, Pennsylvania; Notice of Negative Determination on Reconsideration**

The initial investigation began on October 31, 2012 when a representative of the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers/Communications Workers of America (IUE/CWA) Local 502, filed a petition for Trade Adjustment Assistance (TAA) on behalf of workers and former workers of SGL Carbon, LLC, St. Marys, Pennsylvania (subject firm). The workers are engaged in activities related to the production of graphite component parts. The worker group includes on-site leased workers from Reflex Staffing Services and Manpower.

The negative determination was based on the findings that there had not been a decline in sales or production of graphite component parts at the subject firm during the relevant time period. The Department's notice of negative determination was issued on December 14, 2012 and published in the **Federal Register** on January 4, 2013 (78 FR 771).

By application dated January 9, 2013, the IUE/CWA requested administrative reconsideration of the Department's negative determination.

The application stated that the subject firm produces graphite components for solar panels and that many U.S. companies have difficulty competing in the solar business due to foreign competition. The application further states that workers of one of the subject firm's competitors (Mersen USA, Greenville, Michigan) are eligible to apply for TAA under petition TA-W-81,550.

On February 25, 2013, the Department issued a Notice of Affirmative Determination Regarding Application for Reconsideration, which was published in the **Federal Register** on March 8, 2013 (78 FR 15048).

Increased imports means imports of like or directly competitive articles have increased during the period under investigation (the twelve month period prior to the date of the petition) as compared to the representative base period, which is the one year consisting of the four quarters immediately preceding the date which is twelve months prior to the petition date.

In the case at hand, the petition date is October 19, 2012. As such, the period under investigation is October 2011 through September 2012 and the representative base period is October 2010 through September 2011.

In the course of the reconsideration investigation, the Department confirmed previously collected information and collected additional information from the subject firm to address the petitioner's allegations.

With respect to Section 222(a)(2)(A)(i) of the Act, the reconsideration investigation confirmed that the subject firm did not experience a decline in the sales or production of graphite parts during the period under investigation. As such, it is irrelevant whether imports of articles like or directly competitive with the graphic parts produced by the subject firm, or imports of finished articles incorporating component parts not produced in the United States, increased.

With respect to Section 222(a)(2)(B) of the Act, the reconsideration investigation confirmed that the subject